
MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

HON. MARK E. FULLER, PRESIDING

AT MONTGOMERY, AL

DATE COMMENCED: 9/7/06

AT: 2:20 p.m.

DATE COMPLETED: 9/7/06

AT: 3:05 p.m.

ASD SPECIALTY HEALTHCARE, INC.

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vs.

CV. NO. 1:05CV591-MEF

ONCOLOGY HEMATOLOGY CENTERS
OF ATLANTA, PC, ET AL.

PLAINTIFF

APPEARANCES:

DEFENDANT

Heath Alan Fite

David E. Allred

COURT OFFICIALS PRESENT:

Jimmy Dickens, Court Reporter
David Housholder, Law Clerk
Kelli Gregg, Courtroom Clerk

COURTROOM PROCEEDINGS:

(X) Damages Hearing

2:20 p.m. - Court convenes.
Court convenes today regarding (Doc. #50) Second Motion to Withdraw by Atty. Allred for defendants and the Courts order for a hearing as to damages in furtherance of the default judgment that was entered in this case on August 25, 2006.
Counsel Allred states the reasons for filing his Motion to Withdraw and the acts that he's taken in trying to make contact with defendant Geddes. Court will take (Doc. #50) Second Motion to Withdraw under advisement and finds that counsel Allred has made reasonable efforts to get in touch with client without any fault of counsel.
Plaintiff's counsel states the claims for damages that are being asked of the Court based upon default of the defendant's in this case. Counsel had asked within (Doc. #47) for reasonable attorneys fees up until August, 2006.
Court will give counsel until Friday, September 15, 2006 to supplement their request for attorneys fees.

Counsel asks for a principal balance of \$101,676.67 plus interest totaling \$117,725.41 plus attorneys fees and costs.

Plaintiff calls Kelly Lewis to testify.

Defense counsel begins cross examination of witness Lewis.

Court questions witness Lewis.

Court finds that the principal balance is reasonable along with attorneys fees for plaintiff's counsel. Court will enter an order on Motion to Withdraw along with Application for Damages.

3:05 p.m. - Court is in recess.